THE HON'BLE MR. JUSTICE B. SUDERSHAN REDDY

AND

THE HON'BLE MR. JUSTICE S. ANANDA REDDY

WRIT PETITION NO. 21377 OF 2005

DATED: 24-10-2005

Between

M/s. Zuari Cement Limited,

Krishna Nagar, Yerraguntla,

Kadapa, rep. by its Authorized Signatory

Shri Gopal K. Maheswari.

..... PETITIONER

And

The Deputy Commissioner, Cuddapah Division,

Cuddapah and others.

..... RESPONDENTS

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THE HON'BLE MR. JUSTICE B. SUDERSHAN REDDY

AND

THE HON'BLE MR. JUSTICE S. ANANDA REDDY

WRIT PETITION NO. 21377 OF 2005

ORDER: (per Sri B. Sudershan Reddy, J)

We have heard the learned senior counsel appearing for the petitioner and the learned Special Standing Counsel appearing for the Department.

It is totally unnecessary to refer the facts in detail in order to adjudicate the writ petition on merits and judicially review the order dated 22-06-2005 passed by the Additional Commissioner (CT) (Legal), the 3rd respondent herein rejecting the application of the writ petitioner herein seeking stay of further proceedings, in view of the fact that the Tribunal heard the appeal and reserved its verdict.

Interests of justice would be met by directing the respondents not to take coercive steps as against the petitioner for realization of the tax for the assessment year 2000-2001 during the pendency of the appeal. It shall always be open to the respondents to proceed further in the matter depending upon the result of the appeal

preferred by the petitioner.

The Writ Petition is accordingly disposed of.

(B. Sudershan Reddy, J)

24..10..2005

(S. Ananda Reddy, J)

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